
By: **Delegates Zirkin, Amedori, and O'Donnell**
Introduced and read first time: February 14, 2003
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Justice - Day Treatment Center - Pilot Program**

3 FOR the purpose of establishing the Day Treatment Center Pilot Program in the
4 Department of Juvenile Justice in certain counties; establishing the purpose of
5 the Program; requiring the Program, in cooperation with the State Department
6 of Education, to provide certain educational instruction; making certain
7 provisions relating to education applicable to the educational instruction
8 provided by the Program; requiring the Program to provide certain services;
9 limiting the number of children in each center; authorizing the Governor to
10 include funds in the State budget for the Program; authorizing the Department
11 to adopt certain regulations; defining certain terms; providing for the
12 termination of this Act; and generally relating to the Day Treatment Center
13 Pilot Program.

14 BY repealing and reenacting, with amendments,
15 Article 83C - Juvenile Justice
16 Section 2-127(a)
17 Annotated Code of Maryland
18 (1998 Replacement Volume and 2002 Supplement)

19 BY adding to
20 Article 83C - Juvenile Justice
21 Section 2-127.1
22 Annotated Code of Maryland
23 (1998 Replacement Volume and 2002 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That the Laws of Maryland read as follows:

1

Article 83C - Juvenile Justice

2 2-127.

3 (a) (1) The Secretary shall establish programs for juvenile intake,
4 community detention, investigation, probation, and aftercare services.

5 (2) (I) THE SECRETARY SHALL ESTABLISH A PILOT PROGRAM FOR DAY
6 TREATMENT CENTERS FOR CHILDREN IN THE CUSTODY OF THE DEPARTMENT WHO
7 RETURN TO THEIR COMMUNITY AFTER PLACEMENT IN A RESIDENTIAL FACILITY IN
8 ACCORDANCE WITH § 2-120 OF THIS TITLE.

9 (II) THE PILOT PROGRAM SHALL BE ESTABLISHED IN ACCORDANCE
10 WITH § 2-127.1 OF THIS TITLE.

11 2-127.1.

12 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
13 INDICATED.

14 (2) "DAY TREATMENT CENTER" MEANS A FACILITY WHICH PROVIDES
15 EDUCATION AND TREATMENT SERVICES FOR A CHILD WHO:

16 (I) IS STILL IN THE CUSTODY OF THE DEPARTMENT;

17 (II) HAS COMPLETED A PLACEMENT IN A RESIDENTIAL FACILITY
18 OPERATED BY THE DEPARTMENT OR BY A PRIVATE PROVIDER IN ACCORDANCE WITH
19 THIS TITLE;

20 (III) RETURNS TO THE CHILD'S COMMUNITY; AND

21 (IV) CONTINUES TO NEED SERVICES ON A DAILY BASIS.

22 (3) "INDIVIDUALIZED SERVICE PLAN" MEANS A WRITTEN DESCRIPTION
23 OF:

24 (I) A CHILD'S NEEDS;

25 (II) GOALS TO BE ACHIEVED;

26 (III) PERSONS AND AGENCIES RESPONSIBLE FOR CARRYING OUT
27 THE PLAN; AND

28 (IV) PROGRAM ELEMENTS TO ACHIEVE IDENTIFIED GOALS,
29 INCLUDING:

30 1. ASSESSMENTS;

31 2. SERVICES;

32 3. SUPPORTS; AND

1 (II) DEVELOP RESPONSIBILITY FOR THE COMMUNITY IN WHICH
2 THEY LIVE; AND

3 (2) EDUCATION AND COUNSELING DESIGNED TO FOSTER VICTIM
4 AWARENESS AND EMPATHY AMONG THE CHILDREN ENROLLED.

5 (E) BEFORE A CHILD IS PLACED IN A DAY TREATMENT CENTER, THE
6 DEPARTMENT CASE MANAGER, THE CHILD, THE CHILD'S FAMILY, AND DESIGNATED
7 STAFF FROM THE DAY TREATMENT CENTER SHALL DEVELOP AN INDIVIDUALIZED
8 SERVICE PLAN FOR THE CHILD.

9 (F) THE CHILD WILL REMAIN IN THE DAY TREATMENT CENTER UNTIL:

10 (1) THE GOALS OF THE INDIVIDUALIZED SERVICE PLAN HAVE BEEN
11 ACHIEVED; OR

12 (2) THE ADMINISTRATION AND TREATMENT STAFF OF THE DAY
13 TREATMENT CENTER CERTIFY THAT THE CHILD HAS ACHIEVED MAXIMUM BENEFIT
14 FROM THE PROGRAM.

15 (G) BEFORE A CHILD IS RELEASED FROM THE DAY TREATMENT CENTER, THE
16 CHILD, THE CHILD'S FAMILY, THE DEPARTMENT CASE MANAGER, AND DESIGNATED
17 STAFF AT THE DAY TREATMENT CENTER SHALL DEVELOP A COMMUNITY
18 TRANSITION PLAN WHICH SHALL INCLUDE, AT A MINIMUM:

19 (1) AN INDIVIDUALIZED PLAN FOR HOME AND COMMUNITY
20 SUPERVISION WHICH INVOLVES THE CHILD'S FAMILY;

21 (2) A PLAN FOR RE-ENROLLMENT IN A PUBLIC SCHOOL, STATE
22 DEPARTMENT OF EDUCATION APPROVED NONPUBLIC SCHOOL, OR OTHER
23 EDUCATIONAL OR VOCATIONAL TRAINING PROGRAM APPROVED BY THE
24 DEPARTMENT; AND

25 (3) CONTINUED MENTAL HEALTH TREATMENT AND SUBSTANCE ABUSE
26 TREATMENT AND EDUCATION SERVICES IF CONSIDERED NECESSARY BY THE DAY
27 TREATMENT CENTER STAFF.

28 (H) FOR FISCAL YEAR 2004 AND EACH SUCCEEDING FISCAL YEAR, THE
29 GOVERNOR MAY INCLUDE FUNDS IN THE STATE BUDGET FOR THE PROGRAM.

30 (I) THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THE
31 PROVISIONS OF THIS SECTION.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2003. It shall remain effective for a period of 3 years and, at the end of
34 September 30, 2006, with no further action required by the General Assembly, this
35 Act shall be abrogated and of no further force and effect.